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General Assembly

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Sixty-third session

Request for the inclusion of an additional item in the agenda of the sixty-third session

Observer status for the University for Peace in the General Assembly

Letter dated 11 September 2008 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General

I have the honour to request, in accordance with rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda for the sixty-third session of an item entitled "Observer status for the University for Peace in the General Assembly".

As you are aware, the University for Peace is a specialized international institution for post-graduate studies, research and dissemination of knowledge specifically aimed at training for peace within the system of the United Nations University, pursuant to General Assembly resolution 35/55.

In accordance with rule 20 of the rules of procedure of the General Assembly, I attach an explanatory memorandum (annex I) and a draft resolution (annex II). I should be grateful if you would circulate this letter and its annexes as a document of the General Assembly.

(*Signed*) Jorge **Urbina**
Ambassador
Permanent Representative

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Annex I

Explanatory memorandum

1. The University for Peace, which has its headquarters in San José, Costa Rica, is a specialized international institution for post-graduate studies, research and dissemination of knowledge specifically aimed at training for peace within the system of the United Nations University, as proposed by the Government of Costa Rica since 1979. The University was established by General Assembly resolution 35/55 of 5 December 1980. The Secretary-General of the United Nations is the Honorary President of the University for Peace.

2. In accordance with the Charter of the University, the aims and purposes of the University for Peace are to provide humanity with an international institution of higher education for peace and with the aim of promoting among all human beings the spirit of understanding, tolerance and peaceful coexistence, to stimulate cooperation among peoples and to help lessen obstacles and threats to world peace and progress, in keeping with the noble aspirations proclaimed in the Charter of the United Nations. To this end, the University shall contribute to the great universal task of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge fundamental to the full development of the human person and societies through the interdisciplinary study of all matters relating to peace (article 2 of the Charter).

3. The International Agreement for the Establishment of the University for Peace has been ratified by 40 countries: Argentina, Bangladesh, Bolivarian Republic of Venezuela, Bosnia and Herzegovina,[1] Cambodia, Cameroon, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, India, Italy, Liberia, Macedonia, Mexico, Montenegro, Nicaragua, Pakistan, Panama, Peru, Philippines, Russian Federation, Saint Lucia, Senegal, Serbia, Slovenia, Spain, Sri Lanka, Suriname, Togo, Turkey and Uruguay.

4. The special relationship between the University for Peace and the United Nations system is strengthened by the fact that the Council of the University, as the highest authority of the University, consists of high-level representatives of the United Nations. Article 6 of the Charter of the University establishes its composition as follows: (a) the following ex officio members: (i) the Rector; (ii) area directors; (iii) four representatives designated by the Secretary-General of the United Nations, the Director-General of the United Nations Educational, Scientific and Cultural Organization, the Rector of the United Nations University and the Executive Director of the United Nations Institute for Training and Research, respectively; (iv) two representatives designated by the Government of the host country; (b) the following additional members: (i) ten representatives of the academic community, appointed by the Secretary-General of the United Nations in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization; (ii) three students representing the student body.

5. In addition, the Charter of the University envisages the creation of close links with the United Nations University and with the United Nations Educational, Scientific and Cultural Organization in view of its special responsibilities in the

[1] The former Yugoslavia ratified the International Agreement on 19 January 1983.

field of education and it is for this reason that observer status is now being requested.

6. In view of the above, Costa Rica considers it appropriate that the General Assembly should grant the University permanent observer status, and thus enable it to participate in the discussions on peacebuilding and peacekeeping issues, which will strengthen the content of its academic and training programmes related to: (a) peacebuilding and peacekeeping; (b) peace and security; and (c) the aims and purposes that guide its mission, as indicated above.

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Request for the inclusion of an additional item in the agenda of the sixty-third session

Judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Note by the Secretary-General

1. By his letters to the Secretary-General dated 5 June 2008 and 1 September 2008, Judge Fausto Pocar, President of the International Tribunal for the Former Yugoslavia, requested the General Assembly and the Security Council to authorize the extension of the terms of office of the judges of the International Tribunal.

2. The current terms of office of the ad litem judges come to an end on 23 August 2009, and the current terms of office of the permanent judges come to an end on 16 November 2009. It is the view of the International Tribunal that to maintain the integrity of each trial, it is necessary to ensure the continuous sitting of the same judges throughout the trial process. The extension will also provide President Pocar with maximum flexibility to assign benches in the remaining cases. Furthermore, it will be necessary to extend the terms of office of the permanent judges that sit in the Appeals Chamber to 31 December 2010 in order that they may complete their appeals cases.

3. The Statute of the International Tribunal does not provide for extending the terms of office of these judges. In the absence of such a provision, the approval of the Security Council, as the parent organ of the Tribunal, and of the General Assembly, as the organ that elects its judges, would be needed in order to extend the terms of office of the ad litem and permanent judges of the Tribunal.

4. In addition, on 13 August 2008, after consultation with the President of the Security Council and the President of the General Assembly, the Secretary-General appointed Mr. Christoph Flügge (Germany) to replace Judge Wolfgang Schomburg, who will resign from service with the International Tribunal on 18 November 2008.

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5. In order for the General Assembly to consider the above-mentioned matters, the Secretary-General has the honour, pursuant to rule 15 of the rules of procedure of the General Assembly, to request the inclusion in the agenda of the sixty-third session of the General Assembly of an additional item of an important and urgent character entitled "Judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991". This will enable the letters from the International Tribunal to be circulated as official documents of the General Assembly.

6. The Secretary-General requests that the item be considered directly in plenary meeting.